

ORIGINAL

Approved: Michael K. Krouse / Lindsey Keenan
 MICHAEL K. KROUSE / LINDSEY KEENAN
 Assistant United States Attorneys

Before: HONORABLE PAUL E. DAVISON
 United States Magistrate Judge
 Southern District of New York

- - - - - X
 : COMPLAINT
 UNITED STATES OF AMERICA :
 :
 : Violations of
 - v. - : 18 U.S.C. § 247(a)(2)
 :
 GRAFTON E. THOMAS, : COUNTY OF OFFENSE:
 : ROCKLAND
 Defendant. :
 : 19m12065
 - - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

JULIE S. BROWN, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNTS ONE THROUGH FIVE

(Obstruction of Free Exercise of Religious Beliefs Involving an Attempt to Kill and Use of a Dangerous Weapon, and Resulting in Bodily Injury)

1. On or about December 28, 2019, in the Southern District of New York and elsewhere, GRAFTON E. THOMAS, the defendant, intentionally obstructed, by force and threat of force, each victim listed below in the enjoyment of that victim's free exercise of religious beliefs, and attempted to do so, which conduct was in and affected interstate commerce:

COUNT	VICTIM
1	S.R.
2	H.F.
3	J.W.
4	N.I.
5	J.N.

THOMAS's acts included an attempt to kill, and resulted in bodily injury to, each victim in Counts One through Five; the acts also included the use, attempted use, and threatened use of a dangerous weapon, to wit, a machete.

(Title 18, United States Code,
Sections 247(a)(2), 247(d)(1), and 247(d)(3))

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the FBI, and I have been involved in the investigation of the above-described offense. The information contained in this Complaint is based upon my personal knowledge and participation in this investigation, as well as on my conversations with other law enforcement agents and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated. Where figures, calculations, and dates are set forth herein, they are approximate, unless stated otherwise.

3. Based on my participation in this investigation, including my conversations with other law enforcement agents and my review of reports and records, I have learned the following, in substance and in part:

a. On or about December 28, 2019, at approximately 9:52 p.m., an individual later identified as GRAFTON E. THOMAS, the defendant, entered the home of a rabbi in the vicinity of Monsey, New York (the "Rabbi's Home"), which is located next door to the rabbi's synagogue (the "Synagogue"). Members of the local Hasidic community consider both the Rabbi's Home and the Synagogue as places of worship. Dozens of congregants from the Synagogue were inside the Rabbi's Home at the time, celebrating the end of Shabbat and the seventh night of Hanukkah by, among other things, lighting candles and reciting prayers. These congregants, including the victims

listed above, were members of the Hasidic community and were, thus, easily identifiable as adherents to the Jewish faith.¹

b. When THOMAS entered the Rabbi's Home, he had his face covered with what appeared to be a scarf and said, in substance and in part, "no one is leaving." THOMAS then took out a machete and started stabbing and slashing people in the Rabbi's Home. Five victims of THOMAS's attack - S.R., H.F., J.W., N.I., and J.N. - were later hospitalized with serious bodily injuries, to include a severed finger, slash wounds, and deep lacerations. At least one victim is in critical condition with a skull fracture.

c. After the attack, THOMAS fled. A witness followed THOMAS and observed him enter the driver's side of a gray car with New York State license plates (the "Car") and drive away. Based on a review of a law enforcement database containing license plate reader data, the Car crossed the George Washington Bridge from Fort Lee, New Jersey, to Manhattan, New York about one hour later, at approximately 11:02 p.m.

d. At approximately 11:49 p.m., officers from the New York City Police Department ("NYPD") found and stopped the Car in Manhattan. THOMAS was the Car's driver and sole occupant. The NYPD officers detected a strong smell of bleach coming from the Car, and observed what appeared to be blood on THOMAS's jacket, clothing, and hands. The NYPD officers placed THOMAS under arrest.

4. On or about December 29, 2019, law enforcement agents obtained a warrant to search the Car. Based on my conversations with the law enforcement agents who executed the search warrant, I have learned that the following items, among other things, were recovered from the Car:

a. A machete was recovered under the front passenger seat (the "Machete"). The Machete appeared to have traces of dried blood on it.

b. A knife was recovered from the pocket on the rear of the front passenger seat. The knife appeared to have traces of dried blood and hair on it.

¹ In particular, members of the Hasidic community generally wear distinctive items of clothing, such as a long black jacket, various types of hats, and a prayer belt.

c. A cellular phone was recovered from the center console (the "Phone").

5. Based on my review of law enforcement reports, I have learned, among other things, that GRAFTON E. THOMAS, the defendant, resides in Greenwood Lake, New York (the "Residence"). On or about December 29, 2019, law enforcement agents obtained a warrant to search the Residence. Based on my conversations with the law enforcement agents who executed the search warrant, as well as my review of photographs, I have learned the following, in substance and in part:

a. Law enforcement agents recovered from the Residence the packaging for an 18-inch Ozark Trail machete (the "Package").

i. Photographs of the 18-inch Ozark Trail machete posted on various Internet retail sites appear to be identical to the Machete recovered from the Car.

ii. The back of the Package states that the 18-inch Ozark Trail machete is manufactured in China.

iii. Accordingly, it appears that the Machete that THOMAS used to attack the five victims listed above was manufactured in China and, therefore, traveled in interstate or foreign commerce.

b. Law enforcement agents also recovered from the Residence handwritten journals. Based on my training and experience, it appears that several of the pages in the journals express anti-Semitic sentiments, such as:

i. Stating that the "Hebrew Israelites" took from the "powerful ppl^[2] (ebinoid Israelites^[3])."

ii. Questioning "why ppl mourned for anti-Semitism when there is Semitic genocide."

² "Ppl" is frequently used as an abbreviation for "people."

³ The term "ebinoid Israelites" appears to be a reference to the "Black Hebrew Israelite" movement, in which groups of African-Americans assert that they are the descendants of the ancient Israelites. Both the Anti-Defamation League and the Southern Poverty Law Center have stated that some Black Hebrew Israelites espouse anti-Semitic beliefs.

iii. Referring to "Adolf Hitler" and "Nazi Culture" on the same page as drawings of a Star of David and a Swastika.

6. On or about December 29, 2019, the Phone recovered from the Car was searched pursuant to a warrant. Based on my conversations with the law enforcement agents who executed the search warrant, I have learned the following, in substance and in part:

a. The Phone's Internet browser was used to conduct searches using, among others, the following terms:

i. "Why did Hitler hate the Jews" on or about November 9, 2019, and December 3, 7, and 16, 2019.

ii. "German Jewish Temples near me" on or about November 18, 2019.

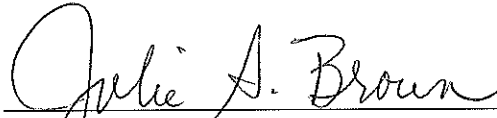
iii. "Zionist Temples in Elizabeth NJ" on or about December 18, 2019.

iv. "Zionist Temples of Staten Island" on or about December 18, 2019.

v. "Prominent companies founded by Jews in America" on or about December 27, 2019.

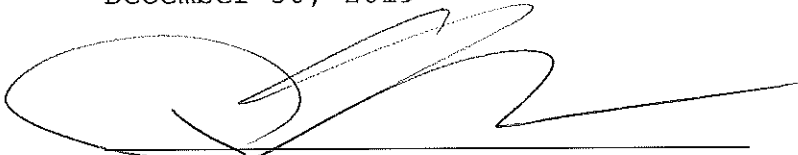
b. On or about December 28, 2019, the Phone's Internet browser was used to access an article titled: "New York City Increases Police Presence in Jewish Neighborhoods After Possible Anti-Semitic Attacks. Here's What To Know."

WHEREFORE, I respectfully request that a warrant be issued for the arrest of GRAFTON E. THOMAS, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



JULIE S. BROWN
Special Agent
Federal Bureau of Investigation

Sworn to before me this
December 30, 2019



THE HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK